

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

ANDRE BISASOR,
Plaintiff

Vs.

CASE NO.: 1:23-CV-00374-JL

CRAIG DONAIS, RUSSELL HILLIARD,
DONAIS LAW OFFICES PLLC,
UPTON AND HATFIELD LLP and
MARY K. DONAIS,
Defendants

**DEFENDANTS CRAIG S. DONAIS, MARY K. DONAIS AND DONAIS LAW OFFICES
PLLC'S LIMITED OBJECTION TO PLAINTIFF'S
EMERGENCY/EXPEDITED MOTION FOR REASONABLE ACCOMMODATION
AND IN CAMERA REVIEW PERTAINING TO THESE PROCEEDINGS AND TO
STAY THE PROCEEDINGS UNTIL THE MOTION IS RESOLVED (DOC. 109)**

INTRODUCTION

NOW COME the Defendants Craig S. Donais, Mary K. Donais, and Donais Law Offices PLLC (jointly the "Donais Defendants") and object in part to Plaintiff Andre Bisasor's ("Plaintiff") Emergency/Expedited Motion for Reasonable Accommodation and In Camera Review Pertaining to These Proceedings and To Stay the Proceedings until The Motion is Resolved (Doc. 109) ("Plaintiff's Motion"). The Donais Defendants object to any stay of these proceedings and to any ex parte hearing (to the extent that this is what Plaintiff seeks). The Donais Defendants also are uncertain as to what "reasonable accommodation" Plaintiff seeks. The Donais Defendants further state as follows:

BACKGROUND

Through his First Amended Complaint (the "Complaint") in this action, Plaintiff asserts claims for defamation, libel, false light/invasion of privacy, tortious interference with advantageous relations, intentional infliction of emotional distress, civil conspiracy, abuse of process, violation of 42 U.S.C. §1981 against defendants Craig S. Donais, Mary K. Donais and Donais Law Offices PLLC; civil rights violations, violations of M.G.L. ch. 93A, breach of fiduciary duty, breach of implied contract and breach of implied covenant of good faith and fair dealing against Craig S. Donais and

Donais Law Offices PLLC; and aiding and abetting defamation against Mary K. Donais for statements and publications allegedly made by Craig S. Donais.

In Plaintiff's Motion, he seeks unspecified accommodations due to an unspecified disability. He further seeks a stay of "any pending deadlines, until this matter is resolved." The Donais Defendants object to any stay of these proceedings. To the extent that Plaintiff requests an in camera hearing that is ex parte, the Donais Defendants object.

ARGUMENT

I. A Stay Is Not Warranted.

Plaintiff once again seeks to delay adjudication of the Donais Defendants' Motion to Dismiss by requesting a stay due to a medical disability. Craig Donais, as has been stated in other filings, has been litigating matters with Plaintiff and/or his wife in several venues for several years. There are actions pending in the Massachusetts Appeals Court and in the Superior Court of New Hampshire. There are also several related actions pending before the Supreme Court of New Hampshire. The instant action has been pending since June of 2022. The Donais Defendants continue to deny all wrongdoing, and they rightfully would like to move forward in this matter.

Plaintiff has not demonstrated any circumstance warranting a stay of deadlines, and it appears that this is simply another attempt by Plaintiff to obtain a further extension of time to respond to the Donais Defendants' Motion to Dismiss¹. This Court should not stay any pending deadlines.

¹ Notably, Plaintiff timely refiled his opposition on 11/20/23. (Doc. 118)

II. To the Extent that This Court Conducts An In Camera Inspection / Hearing About Plaintiff's Contention that He Requires An Unspecified Reasonable Accommodation, Such A Hearing Should Not Be Ex Parte

Plaintiff has alleged that he has a medical condition under the Americans With Disabilities Act and that these conditions impede his ability to undertake certain actions. He declines to publicly provide further information at this time, and he requests an in camera hearing.

To the extent this Court elects to undertake such a hearing, the Donais Defendants request that such a hearing include all parties.

CONCLUSION

For all the foregoing reasons, Craig S. Donais, Mary K. Donais and Donais Law Offices PLLC, respectfully request:

- A. that this Court deny the Plaintiff's Motion inasmuch as it requests a stay of pending deadlines;
- B. that this Court, should it elect to schedule a hearing as requested by Plaintiff, schedule a hearing with all parties present; and
- C. Grant such other and further relief as is equitable and just.

Respectfully submitted,

FOR THE DEFENDANTS,
CRAIG DONAIS, DONAIS LAW OFFICES
PLLC and MARY K. DONAIS

/s/ Linda M. Smith

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing **OBJECTION** to all parties in this action by serving same via electronic mail to:

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Date: November 27, 2023

/s/ Linda M. Smith
Linda M. Smith